THE HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
THE HON'BLE SRI JUSTICE P. SWAROOP REDDY

TAKEN UP WRIT PETITION NO.19151 OF 2007

Date: 17.9.2007

Between:

Smt. Zulqadar Begum … Petitioner

And

The Inspector of Police,
Task Force, SIT and ETC,
Hyderabad District and another. …. Respondents.

ORAL ORDER: **(per A. Swaroop Reddy, J)**

This is a Taken Up Writ Petition on the basis of a telegram dated 2.9.2007 sent by one Smt. Zulqadar Begum, Tadban, Hyderabad to the Hon'ble the Chief Justice for production of her son Abdul Suboor Khan alleging that he has been detained by the police Task Force, SIT ETC. from her house on 2.9.2007 without any reason and he was under illegal custody of the police.

The Inspector of Police, Special Investigation Team, Hyderabad filed a counter stating that the contents of the telegram are false. It is averred that the alleged detenu Abdul Suboor Khan is an accused in Cr.No.78 of 2007 of Kalapathar Police Station, registered for the offence punishable under Section 41(a) Cr.P.C on 3.9.2007, that he was produced before the Special Executive Magistrate on the same day, that the learned Executive Magistrate passed orders in M.C.No.B/384/2007 under Section 109 of the Code of Criminal Procedure binding over the alleged detenu for keeping good behaviour for a period of one year and accordingly he was enlarged on his executing a personal bond on 3.9.2007 itself.

In view of the averments made in the counter-affidavit, the allegation in the telegram sent by the petitioner that her son has been illegally detained by the police is incorrect. Since the alleged detenu has been released on bail by the Special Executive Magistrate on his executing a personal bond for keeping good behaviour for a period of one year, nothing remains to be adjudicated in this petition. The Writ Petition is accordingly dismissed.

A. GOPAL REDDY, J

17th September, 2007 **P. SWAROOP REDDY, J**

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